

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**MOTION TO COMPEL THE NUMBER OF SUBSCRIBERS COX TERMINATED FOR
VIOLATING ITS ACCEPTABLE USE POLICY AND PAYMENT TERMS**

Pursuant to Fed. R. Civ. P. 37 and E.D. Va. Local Rule 37, Plaintiffs hereby move to compel Defendants Cox Communications, Inc. and CoxCom, LLC (collectively “Cox”) to state the number of subscribers whose internet service Cox terminated each month from 2010 through 2014 for (i) violation of its Acceptable Use Policy, broken out by the provision of the Acceptable Use Policy violated, and (ii) for failure to pay for service

For the reasons set forth in the accompanying Memorandum in Support, the Court should grant the motion.

LOCAL RULE 37(E) MEET AND CONFER STATEMENT

Counsel for Plaintiffs sent letters to Cox regarding its deficient objections on December 10 and 26, 2018 and January 9, 2019. The parties’ respective counsel have held multiple telephonic meet-and-confers, over the course of many hours, concerning Cox’s discovery responses and other issues. The parties have resolved several issues and others remain under consideration. Despite their efforts, the parties were unable to resolve all of their disputes, including the one raised by the instant motion.

Respectfully Submitted,

Dated January 18, 2019

/s/ Scott A. Zebrak

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